

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN**

In re:

STATE THEATRE OF BAY
CITY/BAY COUNTY,

Debtor.

Chapter 7
Case No. 24-20261-dob
Hon. Daniel S. Opperman

RANDALL L. FRANK,

Plaintiff,

Adversary Proceeding No. 24-02039-dob

v.

CITY OF BAY CITY,
CLEMENTS ELECTRIC, INC., and
SERENUS JOHNSON & SON CONSTRUCTION CO., INC.,

Defendants

**STIPULATION EXTENDING TIME FOR THE
CITY OF BAY CITY TO RESPOND TO COMPLAINT**

NOW COMES the City of Bay City, by and through its attorney, Lambert Leser, Lambert Leser, and the State Theatre of Bay City/Bay County, through the Chapter 7 Trustee, Randall L. Frank (the “Chapter 7 Trustee”), by and through his attorney, Kevin M. Smith, and for their stipulation state as follows:

1. The Chapter 7 Trustee, through his counsel, filed an adversary proceeding against the City of Bay City and others and this Court re-issued a Summons on December 10, 2024.

2. Counsel for the City of Bay City and counsel for the Trustee have conferred and have agreed that the City of Bay City shall have to and including January 24, 2025, to file its Answer and Response to the Adversary Complaint.

3. The proposed Order is attached hereto as Exhibit 1.

WHEREFORE, the City of Bay City and the Trustee request this Honorable Court enter the proposed Order attached hereto as Exhibit 1 extending the date for the City of Bay City to respond to the Adversary Complaint to January 24, 2025.

Dated: January 6, 2025

LAMBERT LESER

/s/ Keith A. Schofner
By: Keith A. Schofner (P41852)
Attorney for City of Bay City
kschofner@lambertleser.com

BEADLE SMITH, PLC

/s/ Kevin M. Smith
By: Kevin M. Smith (P48976)
Attorney for Trustee
And Randall L. Frank
ksmith@bbssplc.com

EXHIBIT 1

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CITY OF BAY CITY,
CLEMENTS ELECTRIC, INC., and
SERENUS JOHNSON & SON CONSTRUCTION CO., INC.,

Defendants

**ORDER EXTENDING DEADLINE FOR
CITY OF BAY CITY TO FILE
ANSWER AND RESPONSE TO ADVERSARY COMPLAINT**

The Chapter 7 Trustee, Randall L. Frank, through his counsel, and the City of Bay City, through its counsel, filed a Stipulation with this Court requesting entry of an Order extending the time for the City of Bay City to file its response and answer to the Adversary Complaint filed by the Trustee in this adversary proceeding, to and including January 24, 2025, and the Court being otherwise advised in the premises;

NOW THEREFORE,

IT IS HEREBY ORDERED that the City of Bay City shall have to and including January 24, 2025, to file its Response and Answer to the Adversary Complaint filed by the Trustee in this matter.